

CLOSED,RULE16,SCHEDO

**U.S. District Court**  
**District of New Jersey [LIVE] (Newark)**  
**CIVIL DOCKET FOR CASE #: 2:11-cv-02553-ES-CLW**

AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY v. Date Filed: 05/04/2011  
 FEDERAL BUREAU OF INVESTIGATION et al Date Terminated: 10/02/2012  
 Assigned to: Judge Esther Salas Jury Demand: None  
 Referred to: Magistrate Judge Cathy L. Waldor Nature of Suit: 895 Freedom of  
 Cause: 05:552 Freedom of Information Act Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**AMERICAN CIVIL LIBERTIES  
 UNION OF NEW JERSEY**

represented by **BOBBY DEAN CONNER**  
 ACLU-NJ  
 89 MARKET STREET  
 7TH FLOOR  
 P.O. BOX 32159  
 NEWARK, NJ 07102  
 973-642-2086  
 Email: [bconner@aclu-nj.org](mailto:bconner@aclu-nj.org)  
 TERMINATED: 02/10/2012  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**JEANNE LOCICERO**  
 AMERICAN CIVIL LIBERTIES UNION  
 OF NEW JERSEY  
 P.O. BOX 32159  
 NEWARK, NJ 07102  
 973-642-2086  
 Email: [jlocicero@aclu-nj.org](mailto:jlocicero@aclu-nj.org)  
 ATTORNEY TO BE NOTICED

V.

**Defendant**

**FEDERAL BUREAU OF  
 INVESTIGATION**

represented by **DEANNA LYNN DURRETT**  
 U.S. DEPARTMENT OF JUSTICE  
 CIVIL DIVISION  
 FEDERAL PROGRAMS BRANCH  
 20 MASSACHUSETTS AVENUE  
 ROOM 7225  
 WASHINGTON, DC 20530  
 202-305-7589  
 Email: [deanna.l.durrett@usdoj.gov](mailto:deanna.l.durrett@usdoj.gov)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Defendant**

**DEPARTMENT OF JUSTICE**

represented by **DEANNA LYNN DURRETT**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/04/2011	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION ( Filing fee \$ 350 receipt number 3707022.) NONE., filed by AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY.(ld, ) (Entered: 05/04/2011)

		05/05/2011)
05/05/2011	<u>2</u>	SUMMONS ISSUED as to DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. Issued By *LEROY DUNBAR* (ld, ) (Entered: 05/05/2011)
05/12/2011	<u>3</u>	Letter from Jeanne LoCicero, Esq. w/civil cover sheet. (dc, ) (Entered: 05/17/2011)
07/06/2011	<u>4</u>	CERTIFICATE OF SERVICE by AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY (LOCICERO, JEANNE) (Entered: 07/06/2011)
07/11/2011	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Nusrat Choudhury</i> by AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY. (Attachments: # <u>1</u> Certification of N. Choudhury in Support of Petition, # <u>2</u> Certification of J. LoCicero in Support of Petition, # <u>3</u> Text of Proposed Order)(LOCICERO, JEANNE) (Entered: 07/11/2011)
07/11/2011	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Hina Shamsi</i> by AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY. (Attachments: # <u>1</u> Certification of H. Shamsi in Support of Petition, # <u>2</u> Certification of J. LoCicero in Support of Petition, # <u>3</u> Text of Proposed Order)(LOCICERO, JEANNE) (Entered: 07/11/2011)
07/11/2011		Set Deadlines as to <u>5</u> MOTION for Leave to Appear Pro Hac Vice of <i>Nusrat Choudhury</i> , <u>6</u> MOTION for Leave to Appear Pro Hac Vice of <i>Hina Shamsi</i> . Motion set for 8/15/2011 before Judge Dennis M. Cavanaugh. The motion will be decided on the papers. No appearances required unless notified by the court. (dc, ) (Entered: 07/12/2011)
07/14/2011	<u>7</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Esther Salas for all further proceedings. Judge Dennis M. Cavanaugh no longer assigned to case. Signed by Chief Judge Garrett E. Brown, Jr on 7/14/11. (rac, ) (Entered: 07/14/2011)
07/25/2011	<u>8</u>	NOTICE of Appearance by DEANNA LYNN DURRETT on behalf of All Defendants (DURRETT, DEANNA) (Entered: 07/25/2011)
07/25/2011	<u>9</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION.(DURRETT, DEANNA) (Entered: 07/25/2011)
08/02/2011	<u>10</u>	ORDER granting <u>6</u> Motion for Leave to Appear Pro Hac Vice. Signed by Magistrate Judge Cathy L. Waldor on 8/2/11. (dc, ) (Entered: 08/02/2011)
08/02/2011	<u>11</u>	ORDER granting <u>5</u> Motion for Leave to Appear Pro Hac Vice. Signed by Magistrate Judge Cathy L. Waldor on 8/2/11. (dc, ) (Entered: 08/02/2011)
08/03/2011		Case Reassigned to Magistrate Judge Cathy L. Waldor. Magistrate Judge Joseph A. Dickson no longer assigned to the case. (nic, ) (Entered: 08/03/2011)
08/22/2011		Pro Hac Vice fee: \$ 300, receipt number 008806 for Nusrat Choudhury and Hina Shamsi (dc, ) (Entered: 08/23/2011)
09/07/2011	<u>12</u>	ORDER, (Initial Conference set for 10/3/2011 01:00 PM in Newark – Courtroom 4C before Magistrate Judge Cathy L. Waldor.) A JOINT DISCOVERY PLAN MUST BE SUBMITTED 7 DAYS PRIOR TO THE CONFERENCE. CM/ECF IS MANDATORY FOR ALL FILINGS. Should you have any questions please call (973) 776-7862. Signed by Magistrate Judge Cathy L. Waldor on 9/7/11. (rac, ) (Entered: 09/07/2011)
09/14/2011	<u>13</u>	NOTICE of Appearance by BOBBY DEAN CONNER on behalf of AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY (CONNER, BOBBY) (Entered: 09/14/2011)
09/14/2011	<u>14</u>	Notice of Request by Pro Hac Vice Nusrat Choudhury to receive Notices of Electronic Filings. (CONNER, BOBBY) (Entered: 09/14/2011)
09/14/2011	<u>15</u>	Notice of Request by Pro Hac Vice Hina Shamsi to receive Notices of Electronic Filings. (CONNER, BOBBY) (Entered: 09/14/2011)

09/22/2011	<u>16</u>	NOTICE of Appearance by BOBBY DEAN CONNER for Hina Shamsi on behalf of AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY (CONNER, BOBBY). (Entered: 09/22/2011)
09/22/2011	<u>17</u>	NOTICE of Appearance by BOBBY DEAN CONNER for Nusrat Choudury on behalf of AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY (CONNER, BOBBY). (Entered: 09/22/2011)
10/03/2011		Minute Entry for proceedings held before Magistrate Judge Cathy L. Waldor: Scheduling Conference held on 10/3/2011. (rac, ) (Entered: 10/03/2011)
10/05/2011	<u>18</u>	Letter from Parties; Joint Request that Discovery Be Held in Abeyance and Briefing Schedule Be Set for Dispositive Motion Practice. (Attachments: # <u>1</u> Text of Proposed Order)(CONNER, BOBBY) (Entered: 10/05/2011)
10/11/2011	<u>19</u>	SCHEDULING ORDER, Ordered that discovery be held in abeyance pending further order of this Court; that the Parties will brief summary judgment motions according to the following, etc., Signed by Judge Esther Salas on 10/11/11. (dc, ) (Entered: 10/13/2011)
12/12/2011	<u>20</u>	MOTION for Summary Judgment by DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Brief Memo in Support, # <u>2</u> Declaration Ex. 1 – Declaration of David M. Hardy, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B–H, # <u>5</u> Exhibit I Part 1, # <u>6</u> Exhibit I Part 2, # <u>7</u> Exhibit I Part 3, # <u>8</u> Exhibit I Part 4, # <u>9</u> Exhibit I Part 5, # <u>10</u> Exhibit I Part 6, # <u>11</u> Exhibit I Part 7, # <u>12</u> Exhibit I Part 8, # <u>13</u> Exhibit I Part 9, # <u>14</u> Exhibit I Part 10, # <u>15</u> Exhibit I Part 11, # <u>16</u> Exhibit I Part 12, # <u>17</u> Exhibit I Part 13, # <u>18</u> Exhibit I Part 14, # <u>19</u> Exhibit J – Vaughn Index, # <u>20</u> Statement Statement of Material Facts, # <u>21</u> Text of Proposed Order, # <u>22</u> Certificate of Service)(DURRETT, DEANNA) (Entered: 12/12/2011)
12/12/2011		Set Deadlines as to <u>20</u> MOTION for Summary Judgment. Motion set for 3/19/2012 before Judge Esther Salas. The motion will be decided on the papers. No appearances required unless notified by the court. (dc, ) (Entered: 12/15/2011)
01/20/2012	<u>21</u>	Cross MOTION for Partial Summary Judgment by AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY. (Attachments: # <u>1</u> Brief in support of Cross Motion and in opposition to Defendant's Motion for Summary Judgment, # <u>2</u> Declaration of Nusrat J. Choudhury, # <u>3</u> Exhibit A to Choudhury Decl., # <u>4</u> Exhibit B to Choudhury Decl., # <u>5</u> Exhibit C through K of Choudhury Decl., # <u>6</u> Statement of Material Facts, # <u>7</u> Statement in Response to Defendant's Statement of Material Facts, # <u>8</u> Text of Proposed Order, # <u>9</u> Certificate of Service)(LOCICERO, JEANNE) (Entered: 01/20/2012)
01/20/2012		Set Deadlines as to <u>21</u> Cross MOTION for Partial Summary Judgment. Motion set for 2/21/2012 before Judge Esther Salas. The motion will be decided on the papers. No appearances required unless notified by the court. (dc, ) (Entered: 01/23/2012)
02/10/2012	<u>22</u>	REPLY BRIEF to Opposition to Motion re <u>20</u> MOTION for Summary Judgment, <u>21</u> Cross MOTION for Partial Summary Judgment filed by DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Exhibit Supplemental Declaration of Mr. David M. Hardy, # <u>2</u> Exhibit Notice of In Camera, Ex Parte Filing, # <u>3</u> Statement in Response to Pl. Material Facts, # <u>4</u> Certificate of Service)(DURRETT, DEANNA) (Entered: 02/10/2012)
02/10/2012	<u>23</u>	Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney BOBBY DEAN CONNER terminated. (Attachments: # <u>1</u> Certificate of Service)(LOCICERO, JEANNE) (Entered: 02/10/2012)
02/29/2012	<u>24</u>	Joint MOTION to Amend/Correct <u>19</u> Order <i>re Scheduling</i> by DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Text of Proposed Order)(DURRETT, DEANNA) (Entered: 02/29/2012)
02/29/2012		Set Deadlines as to <u>24</u> Joint MOTION to Amend/Correct <u>19</u> Order <i>re Scheduling</i> . Motion set for 4/2/2012 before Judge Esther Salas. The motion will be decided on the papers. No appearances required unless notified by the court. (dc, ) (Entered: 03/01/2012)

03/01/2012	<u>25</u>	AMENDED SCHEDULING ORDER FOR SUMMARY JUDGMENT MOTIONS Signed by Judge Esther Salas on 3/1/12. (dc, ) (Entered: 03/05/2012)
03/16/2012	<u>26</u>	MOTION for Summary Judgment <i>as to the Feb. 22, 2012 Supplemental Release</i> by DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION. Responses due by 4/2/2012 (Attachments: # <u>1</u> Brief in Support of Motion, # <u>2</u> Declaration of Mr. David M. Hardy, # <u>3</u> Exhibit to Hardy Declaration, # <u>4</u> Statement of Material Facts, # <u>5</u> Text of Proposed Order, # <u>6</u> Certificate of Service)(DURRETT, DEANNA) (Entered: 03/16/2012)
03/16/2012		Set Deadlines as to <u>26</u> MOTION for Summary Judgment <i>as to the Feb. 22, 2012 Supplemental Release</i> . Motion set for 5/7/2012 before Judge Esther Salas. The motion will be decided on the papers. No appearances required unless notified by the court. (dc, ) (Entered: 03/22/2012)
04/02/2012	<u>27</u>	Cross MOTION for Partial Summary Judgment by AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY. (Attachments: # <u>1</u> Brief in Support of Plaintiff's Cross-Motion and in Opposition to Defendants' Motion for Summary Judgment, # <u>2</u> Second Choudhury Declaration, # <u>3</u> Exhibits to Choudhury Declaration, # <u>4</u> Statement of Material Facts, # <u>5</u> Response to Defendants' Material Facts, # <u>6</u> Text of Proposed Order, # <u>7</u> Certificate of Service)(LOCICERO, JEANNE) (Entered: 04/02/2012)
04/02/2012		Set Deadlines as to <u>27</u> Cross MOTION for Partial Summary Judgment. Motion set for 5/7/2012 before Judge Esther Salas. The motion will be decided on the papers. No appearances required unless notified by the court. (dc, ) (Entered: 04/03/2012)
04/05/2012	<u>28</u>	Consent MOTION for Leave to File <i>a Sur-reply</i> by DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(DURRETT, DEANNA) (Entered: 04/05/2012)
04/05/2012		Set Deadlines as to <u>28</u> Consent MOTION for Leave to File <i>a Sur-reply</i> . Motion set for 5/7/2012 before Judge Esther Salas. The motion will be decided on the papers. No appearances required unless notified by the court. (dc, ) (Entered: 04/12/2012)
04/13/2012	<u>29</u>	REPLY to Response to Motion filed by DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION re <u>20</u> MOTION for Summary Judgment, <u>27</u> Cross MOTION for Partial Summary Judgment, <u>26</u> MOTION for Summary Judgment <i>as to the Feb. 22, 2012 Supplemental Release</i> (Attachments: # <u>1</u> Statement in Response to Pl. Material Facts, # <u>2</u> Certificate of Service)(DURRETT, DEANNA) (Entered: 04/13/2012)
04/18/2012	<u>30</u>	ORDER granting <u>28</u> Motion for Leave to File a Sur-Reply; that Defts' Sur-Reply shall be filed no later fthan 4/13/12. Signed by Judge Esther Salas on 4/18/12. (dc, ) (Entered: 04/18/2012)
05/22/2012	<u>31</u>	Letter from Defendants. (DURRETT, DEANNA) (Entered: 05/22/2012)
05/23/2012	<u>32</u>	ORDER granting request that the Court temporarily postpone ruling on the parties' motions for summary judgment currently pending before the Court. Signed by Judge Esther Salas on 5/23/12. (dc, ) (Entered: 05/24/2012)
06/01/2012	<u>33</u>	Letter from Defendants. (DURRETT, DEANNA) (Entered: 06/01/2012)
09/28/2012	<u>34</u>	ORDER granting <u>20</u> Motion for Summary Judgment; denying <u>21</u> Motion for Partial Summary Judgment; granting <u>26</u> Motion for Summary Judgment ; denying <u>27</u> Motion for Partial Summary Judgment. Signed by Judge Esther Salas on 9/28/2012. (ps, ) (Entered: 09/28/2012)
10/02/2012	<u>35</u>	OPINION. Signed by Judge Esther Salas on 10/1/12. (dc, ) (Entered: 10/02/2012)
10/02/2012		***Civil Case Terminated. (dc, ) (Entered: 10/03/2012)